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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/005,583
Filing Date: October 26, 2001
Appellant(s): GREEN, BRETT A.

David R. Risley
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed May 1, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Prior Art of Record

U.S. Pub. No. 20010039587, Uhler et al. (publication date November 8, 2001; filed October 23, 1998).

U.S. Pub. No. 20020076111, Dance et al. (publication date June 20, 2002; filed December 18, 2000).

U.S. Pub. No. 20020116477, Somashekar et al. (publication date August 22, 2002; filed December 7, 2000).

U.S. Pub. No. 20030002068, Constantin et al. (publication date January 2, 2003; filed June 27, 2001).

U.S. Pub. No. 20020083090, Jeffrey et al. (publication date June 27, 2002; filed December 27, 2000).

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U.S. Pub. No. 20040141637, Bacus et al. (publication date July 22, 2004; filed January 5, 2004).

U.S. Pub. No. 20030213846, Knowles et al. (publication date November 20, 2003; filed December 2, 2002).

U.S. Pub. No. 20030072031, Kuwata et al. (publication date April 17, 2003; filed March 25, 2002).

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

A. Claims 1-3, 6, 9, 11, 13, 15, 21-23 remain rejected under 35 U.S.C. 102(e) as being anticipated by Kuwata et al. (U.S. Pub. No. 20030072031; publication

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date April 17, 2003; filed March 25, 2002; provisional application filed March 23, 2001).

Regarding independent claim 1, Kuwata discloses a method for scanning a document, comprising:

- receiving a scan request from a user browser (p.2, para. 41, 42; p.3, para. 47 – as demonstrated in the cited text, a scan request is received from a browser);
- uploading content to the user browser (p.3, para. 47, 53 – as demonstrated in the cited text, content is uploaded to the browser);
- receiving selections made with the user browser (p.3, para. 47 – as demonstrated in the cited text, selections made with the browser are received); and
- scanning the document in accordance with the user selections (p.3, para. 47 – as demonstrated in the cited text, the document is scanned in accordance with the selections).

Regarding dependent claim 2, Kuwata discloses the method of claim 1, wherein:

- uploading content to the user browser comprises uploading logic configured to generate at least one control screen for display within the

browser (p.3, para. 47, 53 – as demonstrated in the cited text, logic is uploaded that is configured to generate a control screen for display).

Regarding dependent claim 3, Kuwata discloses the method of claim 1, wherein:

- uploading content to the user browser comprises uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53 – as demonstrated in the cited text, an application configured to perform a task is uploaded).

Regarding dependent claim 6, Kuwata discloses the method of claim 1, further comprising:

- uploading scanned data to the user browser for viewing (p.1, para. 8; p.3, para. 47 – as demonstrated in the cited text, scanned data is uploaded for viewing).

Regarding claims 9 and 11, the claims reflect the system for performing the operations of claims 1 and 3 respectively and are rejected along the same rationale.

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Regarding claims 13 and 15, the claims reflect the system for performing the operations of claims 1 and 3 respectively and are rejected along the same rationale.

Regarding dependent claim 21, Kuwata discloses the method of claim 1, wherein:

- the receiving, uploading and scanning are all performed by a scanning device (p.1, para. 8; p.3, para. 47 – as demonstrated in the cited text, the scanning device performs all functions).

Regarding dependent claims 22 and 23, the claims reflect the systems for performing the operations of claim 21 and are rejected along the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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B. Claims 4, 5, 7, 8, 12 and 16 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Dance et al. (U.S. Pub. No. 20020076111; publication date June 20, 2002; filed December 18, 2000).

Regarding dependent claim 4, Kuwata does not teach at least one application is configured to perform optical character recognition on the scanned document. Dance discloses performing optical character recognition on a scanned document (p.2, para. 32). It would have been obvious to one of ordinary skill in the art, having the teachings of Kuwata and Dance before him at the time the invention was made, to modify the method taught by Kuwata to include performing optical character recognition on a scanned document as taught by Dance, because performing optical character recognition, as taught by Dance (p.2 para. 32) would allow the user to recognize individual characters in a scanned document so that a user could make modifications to the scanned text.

Regarding dependent claim 5, Kuwata does not teach at least one application is configured to locate an optical character recognition module of a computing device on which the browser runs. Dance discloses locating an optical character recognition module of a computing device on which the browser runs since Dance teaches an optical character recognition and the optical character recognition module must be located since optical character recognition occurs (p.2, para. 32). It would have been obvious to one of ordinary skill in the art,

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having the teachings of Kuwata and Dance before him at the time the invention was made, to modify the method taught by Kuwata to include locating an optical character recognition module as taught by Dance, because locating an optical character recognition module, as taught by Dance (p.2, para. 32), would allow a user to utilize the module in performing optical character recognition to recognize individual characters in a scanned document.

Regarding dependent claims 7, 12 and 16, the claims reflect the method and system for performing the operations of claim 4 and are rejected along the same rationale.

Regarding dependent claim 8, Kuwata does not teach uploading an optically character recognized document to the user browser for viewing. Dance discloses viewing an optically character recognized document in the user browser (p.2, para. 31, 34). It would have been obvious to one of ordinary skill in the art, having the teachings of Kuwata and Dance before him at the time the invention was made, to modify the method taught by Kuwata to include viewing an optically character recognized document as taught by Dance, because uploading an optically character recognized document in the user browser, as taught by Dance (p.2, para. 31, 34), would allow a user to view the document once OCR has been performed.

C. Claims 10 and 14 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Somashekar et al. (U.S. Pub. No. 20020116477; publication date August 22, 2002; filed December 7, 2000).

Regarding dependent claim 10, Kuwata does not teach the means for uploading content to the user browser comprises an embedded server. Somashekar discloses an embedded server uploading content (p.1, para. 10). It would have been obvious to one of ordinary skill in the art, having the teachings of Kuwata and Somashekar before him at the time the invention was made, to modify the system taught by Kuwata to include an embedded server uploading content as taught by Somashekar, because utilizing an embedded server allows for services to be maintained and administered at a central location which simplifies the management of devices, as taught by Somashekar (p.1, para. 8).

Regarding dependent claim 14, the claim reflects the system for performing the operations of claim 10 and is rejected along the same rationale.

D. Claims 17-20 and 24 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata in view of Dance in further view of Somashekar.

Regarding independent claim 17, Kuwata discloses a processing device (Fig. 1; p.1, para. 5).

Kuwata further discloses scanning hardware (p.1, para. 8).

Kuwata further discloses the scan control module including logic for generating at least one control screen that can be uploaded to a user browser (p.3, para. 47, 53).

Kuwata further discloses the scan control module comprising a scanning module (p.2, para. 42; p.3, para. 47) but does not disclose an optical character recognition module. Dance discloses an optical character recognition module (p.2, para. 32). It would have been obvious to one of ordinary skill in the art, having the teachings of Kuwata and Dance before him at the time the invention was made, to modify the scanning device taught by Kuwata to include an optical character recognition module as taught by Dance, because including an optical character recognition module, as taught by Dance (p.2, para. 32), would allow the user to recognize individual characters in a scanned document to be used for modifications.

Kuwata further discloses a scan control module (p.2, para. 41) but does not disclose memory or an embedded server. Dance discloses a memory for storage (p.3, para. 52) and Somashekar discloses an embedded server (p.1, para. 8,10). It would have been obvious to one of ordinary skill in the art, having the teachings of Kuwata, Dance and Somashekar before him at the time the invention was made, to modify the scanning device taught by Kuwata to include memory as taught by Dance and an embedded server as taught by Somashekar, because utilizing an embedded server allows for services to be maintained and

administered at a central location which simplifies the management of devices, as taught by Somashekar (p.1, para. 8).

Regarding dependent claims 18, 19 and 20, the claims reflect the device for performing the operations of claims 3, 4 and 5 respectively and are rejected along the same rationale.

Regarding dependent claim 24, Kuwata discloses the scanning device comprises a scanner or a multifunction peripheral (MFP) device (p.1, para. 8).

(10) Response to Argument

Regarding independent claim 1, Appellants indicate that Kuwata does not teach a method for scanning a document comprising "receiving a scan request from a user browser" (p.8, lines 4-5). The Examiner disagrees because Kuwata teaches receiving a scan request from a browser (p.2, para. 41, 41; p.3, para. 47). Kuwata teaches a user scanning a document by utilizing a front panel on a user interface to operate a server that is accessible through the network utilizing the Internet (p.2, para. 42). The server functions as a document scanner and is accessible by utilizing a browser (Figure 3; p.1, para. 8). Therefore, the scan request is made using a browser to operate the server. Kuwata further teaches a user selecting "Scan" from the front panel to scan hardcopy documents (p.3, para. 47). Since the server, acting as a document scanner, is

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accessible via a front panel or through the network by utilizing a local Internet (p.2, para. 42), the user can select to "Scan" through a browser also. Kuwata teaches that upon completion of the scan job, the user can use a web browser to access the scanned files (p.3, para. 47) so the scan request had to be received since the documents were scanned.

Appellants further indicate that Kuwata does not teach "receiving selections made with the user browser" (p.11, lines 7-8). The Examiner disagrees because Kuwata teaches receiving selections made with the user browser (p.3, para. 47). Kuwata teaches a user selecting a folder as the scan destination and a user changing any scan job parameters using the front panel (p.3, para. 47). Since the server, acting as a document scanner, is accessible via a front panel or through the network by utilizing a local Internet (p.2, para. 42), the user can also make selections through a browser. Kuwata teaches that upon completion of the scan job, the user can use a web browser to access the scanned files (p.3, para. 47) so the selections are received since the documents were properly scanned.

Regarding dependent claim 2, Appellants indicate that Kuwata does not teach uploading content to a user browser in the form of "at least one control screen" at least because, as described in the appellants arguments, all scanning control is exercised at the server front panel (p.12, lines 8-11). The Examiner disagrees because Kuwata teaches accessing a server for scanning via a front panel or a browser (Figure 3; p.1, para. 8; p.2, para. 42). Furthermore, Kuwata teaches uploading content to the user

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browser comprising uploading logic configured to generate at least one control screen for display within the browser (p.3, para. 47, 53), as claimed in dependent claim 2.

Kuwata teaches different folders shown to users based on their registration (p.3, para. 47). For a non-registered user, the Public folder is shown. For a registered user, the Public and private folders are shown. For an Administrator, the Department folders, Public and private folders are shown (p.3, para. 47). The user selects a folder as the scan destination and proceeds to scan; therefore, the content (folders) was uploaded based on user registration before the scanning occurred.

Regarding dependent claim 3, Appellants indicate that Kuwata further does not teach uploading content to a user browser comprising "at least one application that is configured to perform a designated task on a computing device" (p.12, lines 12-14). The Examiner disagrees because Kuwata teaches uploading content to the user browser comprising uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53). Kuwata teaches accessing a server for scanning via a front panel or a browser (Figure 3; p.1, para. 8; p.2, para. 42). Kuwata also teaches when an Administrator logs in, extra tabs and buttons are enabled on the web browser to allow the Administrator to manage users and storage (p.3, para. 53). The Appellants argue that the administrator is not a "user" because the administrator is not "scanning a document" (p.12, lines 16-18). The Examiner disagrees because Kuwata teaches an Administrator being presented with scan destination folders and proceeding to scan after a folder has been selected (p.3,

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para. 47). Appellants further argue that Kuwata describes no such tabs or buttons being enabled for a user in a scanning context (p.12, lines 18-19). Dependent claim 3 merely claims that “uploading content comprises uploading at least one application configured to perform a designated task.” The claim does not state that the application is uploaded to perform a scanning function. Appellants further argue that Kuwata describes enabling tabs or buttons and does not teach uploading an application (p.12, lines 19-21). The Examiner disagrees because unlocking controls, by enabling tabs and buttons when an Administrator logs in, comprises an application since an administrator user is allowed to access and manage all folders and files as well as manage users and storage (p.3, para. 53).

Regarding dependent claim 21, Appellants indicate that Kuwata does not teach that the “receiving, uploading, and scanning” of claim 1 are performed by a “scanning device” (p.13, lines 1-2). The Examiner disagrees because Kuwata teaches receiving, uploading and scanning performed by a scanning device (p.1, para. 8; p.3, para. 47). Kuwata teaches a server receiving scan requests and selections (p. 3, para. 47), uploading content (p.3, para. 47, 53) and scanning a document (p.2, para. 42; p.3, para. 47). The server functions as a document scanner (Figure 3; p.1, para. 8). Kuwata further teaches that the server which may be operated by a user utilizing the user interface on the front panel may scan or copy document at the server (p.2, para. 42).

Regarding independent claim 9, Appellants argue that Kuwata does not teach “means for receiving a scan request from a user browser” or “means for receiving selections made with the user browser” at least for the reasons described above in relation to claim 1 (p.14, lines 15-17). The Examiner disagrees for the same reasons as described above with regard to claim 1. Kuwata teaches receiving a scan request from a browser (p.2, para. 41, 41; p.3, para. 47). Kuwata teaches a user scanning a document by utilizing a front panel on a user interface to operate a server that is accessible through the network utilizing the Internet (p.2, para. 42). The server functions as a document scanner and is accessible by utilizing a browser (Figure 3; p.1, para. 8). Therefore, the scan request is made using a browser to operate the server. Kuwata further teaches a user selecting “Scan” from the front panel to scan hardcopy documents (p.3, para. 47). Since the server, acting as a document scanner, is accessible via a front panel or through the network by utilizing a local Internet (p.2, para. 42), the user can select to “Scan” through a browser also. Kuwata teaches that upon completion of the scan job, the user can use a web browser to access the scanned files (p.3, para. 47) so the scan request had to be received since the documents were scanned.

Kuwata further teaches receiving selections made with the user browser (p.3, para. 47). Kuwata teaches a user selecting a folder as the scan destination and a user changing any scan job parameters using the front panel (p.3, para. 47). Since the server, acting as a document scanner, is accessible via a front panel or through the network by utilizing a local Internet (p.2, para. 42), the user can also make selections

through a browser. Kuwata teaches that upon completion of the scan job, the user can use a web browser to access the scanned files (p.3, para. 47) so the selections are received since the documents were properly scanned.

Regarding dependent claim 22, Appellants indicate that Kuwata does not teach that all “means” of claim 9 are provided on a “scanning device” and applicant refers to the discussion of claim 21 (p.14, lines 19-21). The Examiner disagrees for the same reasons as described above with regard to claim 21. Kuwata teaches receiving, uploading and scanning performed by a scanning device (p.1, para. 8; p.3, para. 47). Kuwata teaches a server receiving scan requests and selections (p. 3, para. 47), uploading content (p.3, para. 47, 53) and scanning a document (p.2, para. 42; p.3, para. 47). The server functions as a document scanner (Figure 3; p.1, para. 8). Kuwata further teaches that the server which may be operated by a user utilizing the user interface on the front panel may scan or copy document at the server (p.2, para. 42).

Regarding independent claim 13, Appellants argue that Kuwata does not teach “logic configured to receive a scan request from a user browser” or “logic configured to receive selections made with the user browser” at least for the reasons described in the foregoing (p.15, lines 10-12). The Examiner disagrees for the same reasons as described above with regard to claims 1 and 9. Kuwata teaches receiving a scan request from a browser (p.2, para. 41, 41; p.3, para. 47). Kuwata teaches a user scanning a document by utilizing a front panel on a user interface to operate a server

that is accessible through the network utilizing the Internet (p.2, para. 42). The server functions as a document scanner and is accessible by utilizing a browser (Figure 3; p.1, para. 8). Therefore, the scan request is made using a browser to operate the server. Kuwata further teaches a user selecting "Scan" from the front panel to scan hardcopy documents (p.3, para. 47). Since the server, acting as a document scanner, is accessible via a front panel or through the network by utilizing a local Internet (p.2, para. 42), the user can select to "Scan" through a browser also. Kuwata teaches that upon completion of the scan job, the user can use a web browser to access the scanned files (p.3, para. 47) so the scan request had to be received since the documents were scanned.

Kuwata further teaches receiving selections made with the user browser (p.3, para. 47). Kuwata teaches a user selecting a folder as the scan destination and a user changing any scan job parameters using the front panel (p.3, para. 47). Since the server, acting as a document scanner, is accessible via a front panel or through the network by utilizing a local Internet (p.2, para. 42), the user can also make selections through a browser. Kuwata teaches that upon completion of the scan job, the user can use a web browser to access the scanned files (p.3, para. 47) so the selections are received since the documents were properly scanned.

Regarding dependent claims 15 and 23, Appellants refer back to the discussions of claims 3 and 21 (p.15, lines 14-15). The Examiner disagrees for the same reasons as described above with regard to claims 3 and 21. Kuwata teaches uploading content

to the user browser comprising uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53). Kuwata teaches accessing a server for scanning via a front panel or a browser (Figure 3; p.1, para. 8; p.2, para. 42). Kuwata also teaches when an Administrator logs in, extra tabs and buttons are enabled on the web browser to allow the Administrator to manage users and storage (p.3, para. 53). The Appellants argue that the administrator is not a "user" because the administrator is not "scanning a document" (p.12, lines 16-18). The Examiner disagrees because Kuwata teaches an Administrator being presented with scan destination folders and proceeding to scan after a folder has been selected (p.3, para. 47). Appellants further argue that Kuwata describes no such tabs or buttons being enabled for a user in a scanning context (p.12, lines 18-19).

Dependent claim 3 merely claims that "uploading content comprises uploading at least one application configured to perform a designated task." The claim does not state that the application is uploaded to perform a scanning function. Appellants further argue that Kuwata describes enabling tabs or buttons and does not teach uploading an application (p.12, lines 19-21). The Examiner disagrees because unlocking controls, by enabling tabs and buttons when an Administrator logs in, comprises an application since an administrator user is allowed to access and manage all folders and files as well as manage users and storage (p.3, para. 53). Kuwata further teaches receiving, uploading and scanning performed by a scanning device (p.1, para. 8; p.3, para. 47). Kuwata teaches a server receiving scan requests and selections (p. 3, para. 47), uploading content (p.3, para. 47, 53) and scanning a document (p.2, para. 42; p.3, para.

47). The server functions as a document scanner (Figure 3; p.1, para. 8). Kuwata further teaches that the server which may be operated by a user utilizing the user interface on the front panel may scan or copy document at the server (p.2, para. 42).

Regarding dependent claim 4, Appellants argue that neither Kuwata nor Dance teach or suggest "uploading" an "application" that is "configured to perform optical character recognition" to a "user browser" (p.16, lines 8-10). Kuwata teaches uploading content to the user browser comprising uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53), as claimed in claim 3, which claim 4 depends from. Kuwata teaches when an Administrator logs in, extra tabs and buttons are enabled on the web browser to allow the Administrator to manage users and storage (p.3, para. 53). Unlocking controls, by enabling tabs and buttons when an Administrator logs in, comprises an application since an administrator user is allowed to access and manage all folders and files as well as manage users and storage (p.3, para. 53). Dance teaches an application is configured to perform optical character recognition (OCR) on the scanned document (p.2, para. 32). Dance further teaches an OCR processor implemented by executable software (Figure 8; p.3, para. 52, 57). This software would have to be uploaded into the system in order to be executed since OCR operations are performed on the scanned documents. Furthermore, Dance teaches a user managing scanned documents utilizing the OCR software since users can select parts of the scanned document to move to another program (p.3, para. 53) and identifying errors in

the scanned document (p.3, para. 56). It would be obvious to one of ordinary skill in the art to combine the teachings of Kuwata and Dance since Kuwata teaches uploading an Administrator application to manage files, folders, users and scanned documents (p.3, para. 47, 53) and Dance teaches an OCR application as executable software that is utilized in managing scanned documents (p.2, para. 32; p.3, para. 52, 53, 56, 57).

Regarding dependent claim 5, Appellants argue that neither Kuwata nor Dance teach or suggest "uploading" an "application" that is "configured to locate an optical character recognition module of a computing device on which the browser runs" (p.16, lines 13-15). Kuwata teaches uploading content to the user browser comprising uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53), as claimed in claim 3, which claim 4 depends from. Kuwata teaches when an Administrator logs in, extra tabs and buttons are enabled on the web browser to allow the Administrator to manage users and storage (p.3, para. 53). Unlocking controls, by enabling tabs and buttons when an Administrator logs in, comprises an application since an administrator user is allowed to access and manage all folders and files as well as manage users and storage (p.3, para. 53). Dance teaches locating an application that is configured to perform optical character recognition (OCR) on the scanned document (p.2, para. 32) since OCR is to be performed on the document and in order for OCR to occur, the application has to be located. Dance further teaches an OCR processor implemented by executable software (Figure 8; p.3, para. 52, 57). This software would have to be

uploaded into the system in order to be executed since OCR operations are performed on the scanned documents. Furthermore, Dance teaches a user managing scanned documents utilizing the OCR software since users can select parts of the scanned document to move to another program (p.3, para. 53) and identifying errors in the scanned document (p.3, para. 56). It would be obvious to one of ordinary skill in the art to combine the teachings of Kuwata and Dance since Kuwata teaches uploading an Administrator application to manage files, folders, users and scanned documents (p.3, para. 47, 53) and Dance teaches an OCR application as executable software that is utilized in managing scanned documents (p.2, para. 32; p.3, para. 52, 53, 56, 57).

Regarding dependent claims 10 and 14, Appellants indicate that there would be no reason for a person having ordinary skill in the art to employ an “embedded server” in the Kuwata system given that Kuwata is scanning control component is an actual server (p.17, lines 6-8). The Examiner disagrees because Kuwata teaches uploading to content to the browser comprising a server (p.3, para. 47, 53). Kuwata teaches uploading content to the user browser comprising uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53). Kuwata teaches accessing a server for scanning via a front panel or a browser (Figure 3; p.1, para. 8; p.2, para. 42). Kuwata also teaches when an Administrator logs in, extra tabs and buttons are enabled on the web browser to allow the Administrator to manage users and storage (p.3, para. 53). The Appellants argue that the administrator is not a “user” because the administrator is not “scanning a

document" (p.12, lines 16-18). The Examiner disagrees because Kuwata teaches an Administrator being presented with scan destination folders and proceeding to scan after a folder has been selected (p.3, para. 47). Appellants further argue that Kuwata describes no such tabs or buttons being enabled for a user in a scanning context (p.12, lines 18-19). Dependent claim 3 merely claims that "uploading content comprises uploading at least one application configured to perform a designated task." The claim does not state that the application is uploaded to perform a scanning function.

Appellants further argue that Kuwata describes enabling tabs or buttons and does not teach uploading an application (p.12, lines 19-21). The Examiner disagrees because unlocking controls, by enabling tabs and buttons when an Administrator logs in, comprises an application since an administrator user is allowed to access and manage all folders and files as well as manage users and storage (p.3, para. 53). Somashekar teaches an embedded server that manages the loading, installation, activation, execution, and removal of services and/or pluggable components (p.1, para. 10). It would be obvious to one of ordinary skill in the art to combine the teachings of Kuwata and Somashekar since Kuwata teaches a server uploading an Administrator application to manage files, folders, users and scanned documents and enabling tabs and buttons when the Administrator logs in (p.3, para. 47, 53) and Somashekar teaches an embedded server performing functions of loading, installation, activation, execution and removal of services and components (p.1, para. 10). The embedded server could handle the functions of loading applications, enabling and removing services (such as those given to an Administrator). Somashekar further teaches utilizing an embedded

server allows for services to be maintained and administered at a central location which simplifies the management of devices (p.1, para. 8).

Regarding independent claim 17, Appellants indicate that the references do not teach a "scanning device" comprising "logic for generating at least one control screen that can be uploaded to a user browser" (p.18, lines 1-2). The Examiner disagrees because Kuwata teaches accessing a server, that acts as a document scanner, for scanning via a front panel or a browser (Figure 3; p.1, para. 8; p.2, para. 42).

Furthermore, Kuwata teaches uploading content to the user browser comprising uploading logic configured to generate at least one control screen for display within the browser (p.3, para. 47, 53), as claimed in dependent claim 2. Kuwata teaches different folders shown to users based on their registration (p.3, para. 47). For a non-registered user, the Public folder is shown. For a registered user, the Public and private folders are shown. For an Administrator, the Department folders, Public and private folders are shown (p.3, para. 47). The user selects a folder as the scan destination and proceeds to scan; therefore, the content (folders) was uploaded based on user registration before the scanning occurred.

Appellants further indicate that Kuwata only discusses a server and omits a description of the device that actually performs the scanning and it would make no sense whatsoever to add an "embedded" server to Kuwata's server (p.18, lines 18-21). Kuwata teaches uploading to content to the browser comprising a server that performs scanning (p.3, para. 47, 53). Kuwata teaches uploading content to the user browser

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comprising uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53). Kuwata teaches accessing a server for scanning via a front panel or a browser (Figure 3; p.1, para. 8; p.2, para. 42). Kuwata also teaches when an Administrator logs in, extra tabs and buttons are enabled on the web browser to allow the Administrator to manage users and storage (p.3, para. 53). The Appellants argue that the administrator is not a "user" because the administrator is not "scanning a document" (p.12, lines 16-18). The Examiner disagrees because Kuwata teaches an Administrator being presented with scan destination folders and proceeding to scan after a folder has been selected (p.3, para. 47). Appellants further argue that Kuwata describes no such tabs or buttons being enabled for a user in a scanning context (p.12, lines 18-19). Dependent claim 3 merely claims that "uploading content comprises uploading at least one application configured to perform a designated task." The claim does not state that the application is uploaded to perform a scanning function. Appellants further argue that Kuwata describes enabling tabs or buttons and does not teach uploading an application (p.12, lines 19-21). The Examiner disagrees because unlocking controls, by enabling tabs and buttons when an Administrator logs in, comprises an application since an administrator user is allowed to access and manage all folders and files as well as manage users and storage (p.3, para. 53). Somashekar teaches an embedded server that manages the loading, installation, activation, execution, and removal of services and/or pluggable components (p.1, para. 10). It would be obvious to one of ordinary skill in the art to combine the teachings of Kuwata and Somashekar since Kuwata

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teaches a server uploading an Administrator application to manage files, folders, users and scanned documents and enabling tabs and buttons when the Administrator logs in (p.3, para. 47, 53) and Somashekar teaches an embedded server performing functions of loading, installation, activation, execution and removal of services and components (p.1, para. 10). The embedded server could handle the functions of loading applications, enabling and removing services (such as those given to an Administrator). Somashekar further teaches utilizing an embedded server allows for services to be maintained and administered at a central location which simplifies the management of devices (p.1, para. 8).

Regarding dependent claims 18, 19 and 20, Appellants indicate that none of the references actually disclose "a scanning device" that comprises "an application that can be uploaded to the user browser" or that such an application is "configured to perform optical character recognition" or "locate an optical character recognition module of a computing device" (p.19, lines 3-7). The Examiner disagrees because Kuwata teaches receiving, uploading and scanning performed by a scanning device (p.1, para. 8; p.3, para. 47). Kuwata teaches a server receiving scan requests and selections (p. 3, para. 47), uploading content (p.3, para. 47, 53) and scanning a document (p.2, para. 42; p.3, para. 47). The server functions as a document scanner (Figure 3; p.1, para. 8). Kuwata further teaches that the server which may be operated by a user utilizing the user interface on the front panel may scan or copy document at the server (p.2, para. 42). Kuwata further teaches accessing a server for scanning via a front panel or a browser

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(Figure 3; p.1, para. 8; p.2, para. 42). Furthermore, Kuwata teaches uploading content to the user browser comprising uploading logic configured to generate at least one control screen for display within the browser (p.3, para. 47, 53), as claimed in dependent claim 2. Kuwata teaches different folders shown to users based on their registration (p.3, para. 47). For a non-registered user, the Public folder is shown. For a registered user, the Public and private folders are shown. For an Administrator, the Department folders, Public and private folders are shown (p.3, para. 47). The user selects a folder as the scan destination and proceeds to scan; therefore, the content (folders) was uploaded based on user registration before the scanning occurred.

Kuwata teaches uploading content to the user browser comprising uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs (p.3, para. 53). Kuwata teaches when an Administrator logs in, extra tabs and buttons are enabled on the web browser to allow the Administrator to manage users and storage (p.3, para. 53). Unlocking controls, by enabling tabs and buttons when an Administrator logs in, comprises an application since an administrator user is allowed to access and manage all folders and files as well as manage users and storage (p.3, para. 53). Dance teaches an application is configured to perform optical character recognition (OCR) on the scanned document (p.2, para. 32). Dance further teaches an OCR processor implemented by executable software (Figure 8; p.3, para. 52, 57). This software would have to be uploaded into the system in order to be executed since OCR operations are performed on the scanned documents.

Furthermore, Dance teaches a user managing scanned documents utilizing the OCR

software since users can select parts of the scanned document to move to another program (p.3, para. 53) and identifying errors in the scanned document (p.3, para. 56). It would be obvious to one of ordinary skill in the art to combine the teachings of Kuwata and Dance since Kuwata teaches uploading an Administrator application to manage files, folders, users and scanned documents (p.3, para. 47, 53) and Dance teaches an OCR application as executable software that is utilized in managing scanned documents (p.2, para. 32; p.3, para. 52, 53, 56, 57). Dance teaches locating an application that is configured to perform optical character recognition (OCR) on the scanned document (p.2, para. 32) since OCR is to be performed on the document and in order for OCR to occur, the application has to be located.

Regarding dependent claim 24, Appellants indicate that the references fail to teach that the "scanning device" of claim 17 is a "scanner" or a "multifunctional peripheral (MFP) device" (p.19, lines 9-10). The Examiner disagrees because Kuwata teaches that the server is a document scanner which can also be used to print and fax (Figure 3; p.1, para. 8).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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Conclusion

For the above reasons, it is believed that the rejections of claims 1-24 should be sustained.

Respectfully submitted,


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Patent Examiner

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